

REMARKS

The Office Action recognized the uniqueness of our present invention in maintaining the allowance of Claims 13 and 16, but contended that our Remarks section did not specifically define distinguishing features in our claim language on the remainder of the claims.

The present invention recognized the advantages of utilizing a pair of LCD modules which each include a graphic random access memory (GRAM) in a unique configuration within a control system with operation instructions that directly employ the GRAM component in a manner that lowers the cost and contributes to miniaturization of this feature, for example in cell phones to permit the elimination of a conventional component of a buffer or frame memory in a manner that has heretofore not been suggested in any of the prior art cited of record.

The Final Office Action had relied upon *Lanier* (U.S. Patent No. 6,400,374), not for a cell phone nor for a miniaturized graphic image system with elimination of component parts that are conventionally utilized. Rather, *Lanier* taught a computer-based graphic image system as a novelty item that permitted the recording of a live person's face which could then be superimposed as a foreground image in an Avatar computer-generated image.

As seen in Figure 1, a conventional video camera is connected to a control system such as a computer to receive positioning signals so that a background video generator can generate an animated character or Avatar while positioning a chromatic or blue facial area to define a border of the user's face in combination with the computer image of a body. As a novelty feature, the user's face then enters into an environment of virtual reality, for example in the playing of a computer game. *Lanier* also teaches to a person of ordinary skill various technical approaches to determine positioning signals for locating the face relative to the Avatar figure.

Thus, a person of ordinary skill in this field would be taught a concept of creating a boundary window in a computer-generated image for superimposing an actual face and also taught the importance of a position tracking system to enable a common superimposed set of images. Such a person would fully appreciate that a personal computer would employ a buffer or frame memory along with other electronic components and circuitry which would significantly raise both the cost and physical size of the system (if miniaturized).

The Final Office Action, recognizing the limitations of the *Lanier* reference, sought to rely upon *Ohmura et al.* (U.S. Patent Publication 2001/0055983) for disclosing a cellular phone with two separate LCD's as shown in Figures 8 and 9.

Without any specific rationale, the Final Office Action simply stated that it would be obvious to an artisan to combine a photographic image display device as described by *Lanier* (combining a live image with positional signals into a computer-generated graphic) into a cell phone that simply has two separate LCD modules, one of a black and white image for text and another of a color LCD display for pictures.

Our recent discussion with Pinchus Laufer in the Office of Patent Legal Administration, who was involved in writing the Examination Guidelines for Determining Obviousness under 35 USC §103 in view of the Supreme Court decision in *KSR International Co. vs. Teleflex, Inc.* verified that the KSR decision still required a specific rationale that could not be based on hindsight for purportedly combining the elements in the prior art to meet an invention defined in the patent claims.

Mr. Laufer incorporated the following from the existing MPEP into the Guidelines.

As noted in the MPEP at §2143.02:

A rationale to support a conclusion that a claim would have been obvious is that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art. *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, ___, 82 USPQ2d 1385, 1395 (2007); *Sakraida v. AG Pro, Inc.*, 425 U.S. 273, 282, 189 USPQ 449, 453 (1976); *Anderson's-Black Rock, Inc. v. Pavement Salvage Co.*, 396 U.S. 57, 62-63, 163 USPQ 673, 675 (1969); *Great Atlantic & P. Tea Co. v. Supermarket Equipment Corp.*, 340 U.S. 147, 152, 87 USPQ 303, 306 (1950). (underline added)

Applicant respectfully submits that the respective functions taught by the *Lanier* reference and by the *Ohmura et al.* reference would not have yielded any predictable result that would render obvious our current independent Claims 2, 5 and 7.

Additionally, we have now provided new Claims 17 and 18 utilizing the claim terminology “consisting of” in an effort to address issues raised in the Advisory Action.

In our present claim description of “a first transfer unit” or a “first transfer step,” we have utilized a limitation of “transferring image data directly to the graphic member in the first LCD module.”

Accordingly, our claimed image data is sequentially output by the photographing unit or the photographing step to be transferred directly to the graphic member in the first LCD module as image data to be displayed in the first LCD module, without the use of any other memory than the graphic memory in the first LCD module.

In addition, in our claimed description of a “second transfer unit” or a “second transfer step,” utilize the claim terminology “read the image data...directly from the graphic member in the first LCD module,...and transfer the composite image data directly to the graphic memory in the second LCD module...”

Thus, the transfer image data to be displayed is read from the graphic memory in the first LCD module without accessing any memory other than the graphic memory of the first LCD module. The read image data to be displayed is combined with the frame image data prestored in the storage medium so as to generate a composite image data. The composite image data is transferred to the graphic memory in the second LCD module as image data to be displayed on the LCD in the second LCD module, again without the use of any other memory than the graphic memory in the second LCD module.

Accordingly, it is believed that our prior arguments are now more than adequately supported by our specific claim language. Additionally, we have defined a photographic image display device in a mobile telephone with the terminology "consisting of" to eliminate any contentions of the use of a buffer or frame memory that would be taught by the combination of references relied upon in the Final Office Action rejection.

With these amendments to the claims and the indication of the allowability of the subject matter of Claims 13 and 16, it is believed that the case is now in condition for allowance and an early notification of the same is requested.

If the Examiner believes a telephone interview will help further the prosecution of the case, the undersigned attorney can be contacted at the listed phone number.

Very truly yours,

SNELL & WILMER L.L.P.



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